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SACRAMENTO COURTS
DEPT. #53 #54

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SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO

FAIR POLITICAL PRACTICES
COMMISSION, a state agency,

Plaintiff,

v.

AGUA CALIENTE BAND OF CAHUILLA
INDIANS, and DOES I-XX

Defendants

Case No. 02AS04545

**DECLARATION OF SECRETARY
OF STATE BILL JONES IN
OPPOSITION TO MOTION TO
QUASH**

HEARING DATE: December 20, 2002
TIME: 2:00 p.m.
DEPT: 53, Hon. Loren McMaster
/ ACTION FILED: July 31, 2002
TRIAL DATE: Not Set

I, Bill Jones, declare:

1. I am the Secretary of State of the State of California. The following is true of
my personal knowledge. If called as a witness, I could competently testify to these

1 facts. I understand that this declaration is being submitted in opposition to
2 defendant Agua Caliente Band Of Cahuilla Indians' motion to quash

3 2. I was elected Secretary of State in 1994 and re-elected in 1998. My
4 responsibilities and statutory obligations as Secretary of State include being the
5 Chief Elections Officer of California according to Government Code 12172.5 and the
6 filing official for statewide candidates, campaign committees, and lobbying entities.
7 These candidates, campaigns, and lobbyists are required by the Political Reform Act
8 of 1974 to file contributions, expenditures, and lobbying payments with my office at
9 various specified periods. There is a Political Reform Division within my office that
10 deals exclusively with the administration of the Political Reform Act as it applies to
11 the Secretary of State. In addition, the Political Reform Division works closely and
12 continuously with the Fair Political Practices Commission, which was also created
13 by the Political Reform Act.
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17 3. It was immediately clear to me when I was first elected that the twin
18 functions of chief elections officer and filing officer for campaigns and lobbyists
19 were inextricably intertwined. An informed electorate was essential to the
20 democratic process and an informed electorate could only be achieved if it had
21 access, in a timely and comprehensive manner, to the financial activities of all
22 statewide campaigns and contributors, and lobbyists. There is no more important
23 state interest than ensuring fair, accurate, and efficient elections and ensuring that
24 the voters are able to make decisions about whom will administer their government
25 based on the best, most complete, and most up-to-date information. The voters must
26 know who is contributing to candidates, how much is being contributed, and how
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1 government is being lobbied. The democratic process is grossly undermined when
2 voters are denied significant elements of this information or denied it as swiftly as
3 technology can make it available.

4 4. One of my earliest acts as Secretary of State was to sponsor legislation, SB 49
5 (Karnette) which became the Online Disclosure Act of 1997 to take advantage of the
6 Internet to display candidate and campaign contributions and expenditures and
7 lobbying activity. The Online Disclosure Act of 1997 provided the statutory basis for
8 my office to develop and implement CAL-ACCESS (California Automated Lobbying
9 and Campaign Contribution & Expenditure Search System). CAL-ACCESS gives
10 California voters the instant availability of critical financial information relating to
11 candidates and campaigns and lobbying activities. During the 2000 Primary and
12 General Elections, for example, late contribution and late independent expenditure
13 reports were manually entered by my office into CAL-ACCESS so that voters would
14 have this critical financial information in the very last days of the campaigns prior to
15 the elections themselves. The Internet is indispensable in swiftly making public and
16 widely available the very fundamental and crucial campaign financial information
17 voters must have in order to make informed decisions.

18 5. The passage of Proposition 34 in 2000, which mandated fuller and faster
19 campaign and lobbying disclosures, makes it even more imperative that the voters
20 have access to all financial information related to political campaigns. These
21 disclosure requirements as my office administers them are neutral and nonpartisan.
22 They apply equally to all those individuals and groups who choose to participate
23 financially in California's elections and to lobby our state government. The
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1 disclosure requirements seek solely to benefit the citizens of California through
2 public transparency of financial dealings in elections and government lobbying.

3 6. Through the thousands of filings to my office both on paper and by CAL-
4 ACCESS, the Fair Political Practices Commission is able to discharge its obligations
5 to oversee and enforce the Political Reform Act's campaign and lobbying disclosure
6 provisions. My office works with the Fair Political Practices Commission to develop
7 the forms for these disclosures, the enforcement actions that may be taken, and
8 legislation to increase timely public access to campaign finance and lobbying
9 information.
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12 7. The Online Disclosure Act of 1997 required that I report periodically to the
13 Legislature about progress in online campaign and lobbying filing. I submitted
14 reports to Gregory Schmidt, Secretary of California Senate and E. Dotson Wilson,
15 Chief Clerk of the California Assembly on June 1, 2001 and June 3, 2002. True and
16 correct copies of those reports are attached as Exhibits A and B and incorporated
17 here by reference.
18


19 8. Finally, the Political Reform Act is a direct descendent of the Progressive
20 reforms in the early 20th century which corrected systematic abuses of California's
21 elections and government. Chief among those abuses was the massive and hidden
22 infusion and distribution of money from special interests. The voters were cheated.
23 Government was corrupted. My experience as Secretary of State has been that only
24 full and swift campaign finance and lobbying disclosure by all parties who
25 participate in our system can prevent a return to California's disreputable past.
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I declare under penalty of perjury that this is true under the laws of the State
of California and this declaration was executed on December 6, 2002 in Sacramento
County California.


BILL JONES, Secretary of State of the State
of California